

# Notice of Allowability

Application No.

10/743,107

Examiner

Patrick J. Connolly

Applicant(s)

WEGMANN, ULRICH

Art Unit

2877

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 24 February 2006.
2. ☒ The allowed claim(s) is/are 1-8 and 16-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date hereto.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 07.01.2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

This application is in condition for allowance except for the presence of claims 9-15 directed to invention non-elected without traverse. Accordingly, claims 9-15 have been cancelled.

### ***Drawings***

The drawings filed on December 23, 2003 are acceptable subject to correction of the informalities indicated below. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

The Applicant is advised to review the requirements of 37 CFR 1.84, especially sections (i), (m) and (p). The corrected drawings should have uniform, plain and legible characters, lines and spacing.

### ***Allowable Subject Matter***

Claims 1-8 and 16-21 allowed.

The following is an examiner's statement of reasons for allowance:

As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render obvious an apparatus for measuring an optical imaging system comprising an arrangement for combined wavefront and distortion including: an object structure with an interferometry object structure for wavefront generation and a Moiré object structure for Moiré pattern generation which are to be arranged simultaneously or alternatively on the object side; an image structure matched to the interferometry object structure and a Moiré image structure matched to the Moiré object structure which are to be arranged simultaneously or alternatively on the image

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side; and a spatially resolving detector unit which is arranged downstream of the image structure and has a first detector plane for the spatially resolving acquisition of interferometry wavefront information, and a second detector plane for the spatially resolving acquisition of Moiré image information for distortion measurement, or has an axially movable detector surface for the spatially resolving acquisition of interferometry wavefront information in a first axial position and for the spatially resolving acquisition of Moiré image information for distortion measurement in a second axial position, in combination with the rest of the elements of claim 1.

As to claim 16, the prior art of record, taken alone or in combination, fails to disclose or render obvious a method for measuring an optical imaging system, including performing a combined wavefront and distortion measurement, in which an interferometry object structure for wavefront generation from and a Moiré object structure for Moiré pattern generation are arranged simultaneously or alternatively on the object side; an interferometry image structure matched to the interferometry object structure and a Moiré image structure matched to the Moiré object structure are arranged simultaneously or alternatively on the image side; and using a first detector plane, interferometry wavefront information is acquired in a spatially resolving manner and, using a second detector plane, Moiré image information is acquired in a spatially resolving manner for distortion measurement, or the interferometry wavefront information and the Moiré image information for distortion measurement are acquired one after another in a spatially resolving manner with a detector surface which can be moved into two different axial positions, in combination with the rest of the limitations of claim 16.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Connolly whose telephone number is 571.272.2412. The examiner can normally be reached on 9:00 am - 7:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on 571.272.2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pjc/pj  
03.08.2006

  
HWA (ANDREW) LEE  
PRIMARY EXAMINER